## IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

| GLEN ELLYN PHARMACY, INC.,       | ) |                            |
|----------------------------------|---|----------------------------|
| on behalf of itself and a class, | ) |                            |
|                                  | ) |                            |
| Plaintiff,                       | ) | 12 CV 6123                 |
|                                  | ) |                            |
| v.                               | ) |                            |
|                                  | ) | Honorable Judge Gottschall |
| QK HEALTHCARE, INC.,             | ) | Magistrate Judge Denlow    |
| and JOHN DOES 1-10,              | ) | -                          |
|                                  | ) |                            |
| Defendants.                      | ) |                            |

# **STIPULATION TO DISMISS**

NOW COME the Parties, by and through their respective attorneys, and pursuant to Fed R. Civ. Proc. 41(a), hereby stipulate and agree to the dismissal of Plaintiff's individual claims against Defendant with prejudice, and with each party bearing its own costs. Plaintiff's class claims are dismissed without prejudice and with each party bearing its own costs. This stipulation of dismissal disposes of the entire action.

Respectfully submitted,

#### <u>PLAINTIFF</u>

#### **DEFENDANT**

#### GLEN ELLYN PHARMACY, INC.

s/ Andre K. Cizmarik

QK HEALTHCARE, INC.

s/ Dulijaza Clark
By one of its attorneys
Dulijaza (Julie) Clark
Edelman, Combs, Latturner & Goodwin LLC
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By one of its attorneys Andre K. Cizmarik (admitted pro hac vice) EDWARDS WILDMAN PALMER LLP 750 Lexington Avenue New York, New York 10022 (212) 308-4411

### **CERTIFICATE OF SERVICE**

I, Dulijaza Clark, certify that on January 2, 2013, I caused a true and accurate copy of the foregoing document to be served upon the parties listed below via the court's CM/ECF system:

Andre K. Cizmarik EDWARDS WILDMAN PALMER LLP 750 Lexington Avenue New York, New York 10022 (212) 308-4411

<u>s/ Dulijaza Clark</u>Dulijaza (Julie) Clark

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